## R E M A R K S

The claims have been amended by rewriting claims 1-3, 8-10, and 16. Claims 1-16 remain in the application.

Reconsideration of this application is respectfully requested.

Corrected drawings are enclosed for approval by the Examiner.

### Claim Rejections - 35 U.S.C. § 102(b):

Claims 1-4, 8-12, and 16 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by DiSanto et al. (U.S. 4,870,677).

Applicant has amended claims 1-3, 8-10, and 16 in response to an interview with Examiner on July 15, 2004. In the interview Applicant conceded the claim language may be interpreted broader by the public than was the intent of Applicant to claim. Applicant has, in response, attempted to clarify the claim language so that the claims might not be confused with prior technology such as, for example, DiSanto.

As argued in Applicant's response to the first Office Action, and as stated by DiSanto at column 1, lines 37-64, the display in DiSanto uses a matrix formed by a grid of conductors formed by a first set of line in an X direction and another set of lines in the Y direction. Individual regions of electrophoretic material can then be selectively activated by selectively applying a voltage potential differential to X and Y conductor that intersect at a desired location. This allows for creation of patterns via pixels. Generally, this is known in the art as an active matrix type display.

Conversely, Applicant's invention does not use pixelation to create shapes. Instead, the shapes are the result of conductor elements already in the form of symbols to be displayed. These symbol-shaped conductor elements have voltage potential applied to them via conductive traces.

Applicant has clarified the claim language of independent claims 1, 8, and 16 by changing the phrase "conductor pattern" to "conductor element" where it occurred, and also to indicate that the conductor elements are connected to conductive traces. Support for these

changes can be found at page 3, line 30 to page 4, line 1; page 4, lines 20-26; page 6, lines 15-22; page 15 (abstract) lines 8-10; FIG 1 (108, 114); and FIG. 2 (200-218).

Applicant believes the phrase "conductor pattern" would have to have been construed in light of the specification, and clearly the specification shows symbol-shaped conductor elements, and not an active matrix type grid, as is described in DiSanto. The lines of the grid in DiSanto are more comparable in form, although not identical, to the conductive traces used by Applicant to apply voltage to the conductor elements. However the conductive traces used by Applicant are not used for displaying information directly, unlike in DiSanto where the grid lines are used to display information, as would be apparent to one of ordinary skill in the art. Applicant has included the conductive traces to further clarify the difference between Applicants conductor elements and DiSanto's grid lines.

Claim Rejections - 35 U.S.C. § 103:

Claims 5-7 and 13-15 are rejected under 35 U.S.C. § 103 as being unpatentable over Di Santo et al. (U.S. 4,870,677) in view of Dreher (U.S. 4,551,717).

Applicant believes substantial differences exist between DiSanto in view of Dreher in claims 5-7 and 13-15, but the rejection is now moot in view of the clarifying amendment made in independent claims 1 and 8 and in view of the discussion above in response to the rejection of those claims.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

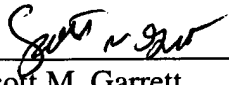Please charge any fees associated herewith, including extension of time fees, to **Deposit Account 502117.**

Respectfully submitted,

SEND CORRESPONDENCE TO:

By: _____

Scott M. Garrett

Motorola, Inc.

Attorney of Record

Intellectual Property Section

Reg. No.: 39,988

Law Department – Intellectual Property Section

Telephone: 954-723-6449

8000 W. Sunrise Blvd.

Fax No.: 954-723-5899

Ft. lauderdale, Florida 33322

Email:

<u>IN THE DRAWINGS</u>:

Please note: Drawings were objected to. The reference numeral 111 on sheet 1 should have been 114 as referred to in the specification at page 4, line 19. Corrected drawings are provided herewith: